

Edgar Filing: TRIARC COMPANIES INC - Form 8-K

TRIARC COMPANIES INC  
Form 8-K  
January 18, 2007

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 OR 15(d) of The Securities Exchange Act of 1934

Date of Report (date of earliest event reported): January 18, 2007

TRIARC COMPANIES, Inc.  
(Exact name of registrant as specified in its charter)

|                                                   |                          |                                      |
|---------------------------------------------------|--------------------------|--------------------------------------|
| Delaware                                          | 1-2207                   | 38-0471180                           |
| (State or other jurisdiction<br>of incorporation) | (Commission File Number) | (IRS Employer<br>Identification No.) |

|                                          |            |
|------------------------------------------|------------|
| 280 Park Avenue                          |            |
| New York, NY                             | 10017      |
| (Address of principal executive offices) | (Zip Code) |

Registrant's telephone number, including area code: (212) 451-3000

Not Applicable  
(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 8.01. Other Events

On January 18, 2007, Triarc Companies, Inc. (the "Company") announced that

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the trustee under the Indenture (the "Indenture") governing the Company's 5% Convertible Notes due 2023 (the "Notes") has determined that holders of the Notes are entitled to convert their Notes during the current fiscal quarter ending on April 1, 2007, in accordance with the terms and conditions of the Indenture. Any determination regarding the right to convert the Notes during any subsequent fiscal quarter shall be made in accordance with the terms of the Indenture. A copy of the Company's January 18, 2007 press release making this announcement and a copy of the Notice of the Right to Convert delivered to the holders of the Notes are attached hereto as Exhibit 99.1 and Exhibit 99.2, respectively.

### Item 9.01. Financial Statements and Exhibits

#### (c) Exhibits

99.1 Press Release, dated January 18, 2007.

99.2 Notice of Right to Convert, dated January 18, 2007

### SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: January 18, 2007

TRIARC COMPANIES, INC.

By: /S/ STUART I. ROSEN

-----  
Name: Stuart I. Rosen

Title: Senior Vice President and  
Secretary

### EXHIBIT INDEX

| Exhibit<br>Number<br>----- | Description of Document<br>-----                   |
|----------------------------|----------------------------------------------------|
| 99.1                       | Press Release, dated January 18, 2007              |
| 99.2                       | Notice of Right to Convert, dated January 18, 2007 |